

KC **FILED**  
Dec 20 2007  
DEC 20 2007

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

RUSHON AVANT

No.

**07CR 0860**

Violations: Title 21 United States Code  
Section 841(a)(1) and Title 18 United  
States Code Sections 924(c) and 922(g)(1)

**JUDGE PALLMEYER**

COUNT ONE

**MAGISTRATE JUDGE DENLOW**

The SPECIAL JUNE 2007 GRAND JURY charges:

On or about August 24, 2007, at Riverdale, in the Northern District of Illinois, Eastern  
Division,

RUSHON AVANT,

defendant herein, did knowingly and intentionally possess with intent to distribute a controlled  
substance, namely, in excess of 5 grams of mixtures containing cocaine base in the form of crack  
cocaine, a Schedule II Narcotic Drug Controlled Substance,

In violation of Title 21, United States Code, Section 841(a)(1).

**COUNT TWO**

The SPECIAL JUNE 2007 GRAND JURY further charges:

On or about August 24, 2007, at Riverdale, in the Northern District of Illinois, Eastern Division,

RUSHON AVANT,

defendant herein, knowingly possessed a firearm, namely, a Smith and Wesson Model SW9VE, 9 mm semiautomatic pistol bearing serial number PBP6185, loaded with 16 rounds of 9mm caliber bullets, during and in relation to the commission of a drug trafficking crime, that is a violation of Title 21 United States Code Section 841(a)(1), as charged in Count One of this indictment, which crime may be prosecuted in a court of the United States, and, in furtherance of that drug trafficking crime, possessed said firearm;

In violation of Title 18, United States Code, Section 924(c)(1)(A).

**COUNT THREE**

The SPECIAL JUNE 2007 GRAND JURY further charges:

On or about August 24, 2007, at Riverdale, in the Northern District of Illinois, Eastern Division,

**RUSHON AVANT,**

defendant herein, having previously been convicted of a crime punishable by a term of imprisonment exceeding one year, knowingly possessed a firearm, namely, a Smith and Wesson Model SW9VE, 9 mm semiautomatic pistol bearing serial number PBP6185, loaded with 16 rounds of 9mm caliber bullets, and which firearm was in and affecting interstate commerce in that it had traveled in interstate commerce before coming into defendant's possession;

In violation of Title 18, United States Code, Section 922(g)(1).

**FORFEITURE ALLEGATION**

The SPECIAL JUNE 2007 GRAND JURY further charges:

1. The allegations contained in Count One of this Indictment are realleged and incorporated herein by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c).

2. As a result of his violations of Title 18, United States Code, Sections 922(g)(1) and 924(c), as alleged in Counts Two and Three of the foregoing Indictment,

**RUSHON AVANT,**

defendant herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), any and all right, title, and interest he may have in any property involved in the charged offense.

3. The interest of the defendant subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c) includes:

(a) a Smith and Wesson, Model SW9VE, 9 mm pistol bearing Serial Number PBP6185; and

(b) 16 rounds of 9 mm caliber bullets.

All pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c).

A TRUE BILL:

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FOREPERSON